

NumPROB 12C  
(7/93)

Report Date: May 10, 2010

## United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MAY 10 2010

JAMES R. LARSEN, CLERK  
YAKIMA, WASHINGTON DEPUTY

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Juvencio Garcia

Case Number: 2:08CR02006-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 5/20/1996

Original Offense: Conspiracy to Distribute Methamphetamine, Cocaine, and Marijuana, 21 U.S.C. §§  
841(a)(1) and 846

Original Sentence: Prison - 160 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 8/16/2007

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 8/15/2012

## PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

1      **Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Supporting Evidence:** On April 20, 2010, Juvencio Garcia reported to Merit Resource Services (Merit) and submitted a urinalysis sample which tested presumptive positive for marijuana. Kroll Laboratories confirmed the test result on April 25, 2010.

2      **Special Condition #18:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** On April 23, 2010, Juvencio Garcia reported to the U.S. Probation Office and admitted to consuming alcohol on April 20, 2010.

Prob12C

Re: Garcia, Juvencio

May 10, 2010

Page 2

3

**Special Condition #18:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** On May 10, 2010, Juvencio Garcia reported to the U.S. Probation Office and admitted to consuming alcohol on May 9, 2010.

The defendant related his current situation at home was just not working out with his family. He said his wife continued to use marijuana, and his son had just stolen some of his property from his garage to support his illegal drug habit. The defendant advised he did not believe he could stay clean on his own and felt he needed to go to jail at this time.

The U.S. Probation Office respectfully recommends the Court issue a <sup>warrant</sup> ~~summons~~ requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/10/2010

s/Jose Vargas

Jose Vargas  
U.S. Probation Officer

---

## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

5/10/10  
\_\_\_\_\_  
Date